

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 26, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** March 12, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * 1. **USE PERMIT AMENDMENT NO. P-UA2003-6:** Six-month review of Anh Hong Saigion Restaurant (233 West Calaveras Boulevard, APN: 022-25-041) to verify compliance with special conditions of approval associated with the Use Permit Amendment No. P-UA2002-9, including the construction of a garbage enclosure. Project Planner: Troy Fujimoto, 408-586-3287. (PJ# 2138)
(Recommendation: Add an additional special condition and extend six month review for six-months)
- * 2. **USE PERMIT NO. P-UP2003-5 & S-ZONE AMENDMENT (P-SA2003-15)**
APPROVAL: A request for building signage for a combination gas station and fast food restaurant, including a new 9.5-foot high internally illuminated freestanding sign at 1551 California Circle (APN: 022-37-040). Project Planner: Troy Fujimoto, 408-586-3287. (PJ# 2318) *(Recommendation: Approval with Conditions)*

3. **"S" ZONE APPROVAL NO. P-SZ2002-6, USE PERMIT NO. P-UP2002-35 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-1:** A request for a mixed use development consisting of 101 residential units and 6,000 SF of retail that exceeds the height and setback regulations for the MXD-TOD district and includes vacation of a portion of Weller Lane and approval of the related Negative Declaration for the property located at 230 North Main Street (APN 028-24-017 and -018). Applicant: Apton Properties, LLC. Project Planner: Staci Pereira, 408-586-3278. (PJ# 3144) *(Recommendation: Adopt the Negative Declaration (P-EA2003-1), approve "S" Zone Approval (P-SZ2002-6) and Use Permit No. P-UP-2002-35 based on the Findings and Special Condition of Approval listed below and recommend to the City Council the partial vacation of Weller Lane is not in conflict with the General Plan)*

4. **AMENDMENTS TO THE GENERAL PLAN AND MIDTOWN SPECIFIC PLAN, AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAPS, AND OF A RELATED DRAFT NEGATIVE DECLARATION (P-GM2003-1, P-ZT2003-1, P-ZC2003-1, P-EA2003-1):** Recommend to City Council to:

1. Adopt a resolution approving the Negative Declaration (EIA NO. P-EA2003-1);
2. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) relating to properly designating existing parks in the POS classification;
3. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) affecting the Midtown Plan Area relating to the addition of three (3) Serra Center parcels to the Midtown Specific Plan Area;
4. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) affecting Midtown Plan Area relating to text amendment item nos. 8, 14, 19, 20, 26, 27, 28, 29, 30, and 34; and
5. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) not affecting Midtown Plan Area relating to text amendment item nos. 1, 3, 4, 6, 7, 11, 13, 15, 17, 18, 21, 22, 23, 24, 25, 31, 32, and 35.

Project Planner: Staci Pereira, 586-3278 *(Recommendation: Approval to City Council)*

5. **AMENDMENT TO THE ZONING ORDINANCE TEXT (P-ZT2003-1):** Amendment to Title XI, Chapter 10 (Planning, Zoning, and Annexation) of the Milpitas Municipal Code to establish inclusionary housing provisions. Staff Contact: Felix Reliford, 586-3071. *(Recommendation: Continue to the April 9, 2003 Planning Commission meeting)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 9, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **S-ZONE AMENDMENT NO. P-SA2003-25:** Request for a 5 foot 9 inch monument sign for the India Community Center located at 555 Los Coches Street. Applicant: India Community Center. Project Planner: Kim Duncan, 408-586-3283.
- b. **S-ZONE AMENDMENT NO. P-SA2003-26:** Request for a new roll-up door, entries, removal or over 200 square feet of landscaping and parking modifications at 880 Yosemite Way (APN:086-31-066). Applicant: AAI. Project Planner: Kim Duncan, 408-586-3283